

### Remarks

Reconsideration and withdrawal of the objections and rejections set forth in the above-mentioned Official Action in view of the foregoing amendments and the following remarks are respectfully requested.

Claims 1-38 remain pending in the application, with Claims 1, 12, 13 and 36-38 being independent. Claims 1-9, 11-32 and 34-38 have been amended herein.

Applicants note with appreciation the indication that Claims 7, 8, 10 and 35 recite allowable subject matter. These claims were objected to for being dependent upon rejected base claims. However, these claims will not be rewritten in independent form at this time because their respective independent claims are believed to be allowable for the reasons discussed below.

Claims 15 and 25 were objected to for minor informalities. These claims have been amended in the manner suggested by the Examiner. Accordingly, reconsideration and withdrawal of the objection to the claims are requested.

Claim 5 was rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite. Without conceding the propriety of this rejection, Applicants have reworded the language questioned by the Examiner. These changes further clarify that although the on-arrival recovery mode differs from the normal recovery mode, in one embodiment, both modes can utilize the same basic operation, but that basic operation is executed continuously a plurality of times in the on-arrival recovery mode. Reconsideration and withdrawal of the § 112, second paragraph, rejection are requested.

Claims 1-4, 6, 9, 11, 14-34 and 36 were rejected under 35 U.S.C. § 103 as being unpatentable over U.S. Patent No. 6,074,037 (Nakahara et al.) in view of U.S. Patent No. 5,625,384 (Numata et al.). Claims 13 and 38 were rejected under § 103 as being unpatentable over Nakahara et al. in view of U.S. Patent No. 6,364,448 (Nishioka et al.). Claims 14-33 were rejected under § 103 as being unpatentable over Nakahara et al. in view of Nishioka et al. and in further view of Numata et al. Claims 12 and 37 were rejected under § 103 as being unpatentable over Nakahara et al. in view of U.S. Patent No. 5,627,572 (Harrington, III et al.). Claims 14-33 were rejected under § 103 as being unpatentable over Nakahara et al. in view of Harrington, III et al. and in further view of Numata et al. These rejections are respectfully traversed.

In Nakahara et al., when a head unit is to be shipped from a manufacturing factory, as a separate unit, the plurality of ink chambers in the printhead and a manifold are filled with a preservative liquid, for distributing ink from the ink cartridge into the ink chambers. The front surface of the printhead and the nozzle surface are enclosed by a capping device. A rear end of the manifold is closed by a second capping member.

However, as is further clarified at col. 10, lines 26-32 of Nakahara et al., the capping device is prepared separately from the printer to protect the nozzle surface of the printhead when a head unit is shipped from the manufacturing factory, but is to be removed when the head unit is installed on the printer. Since the capping device in Nakahara et al. is not incorporated into the printer, Nakahara et al. cannot disclose or suggest an ink jet recording apparatus to be shipped in which a recording head filled with transporting ink different from recording ink is mounted on a carriage, as is recited in

independent Claims 1, 12 and 13. Nor does Nakahara et al. disclose or suggest the step of shipping an ink jet recording apparatus from a manufacturing factory in a condition that the recording head filled with transporting ink different from the recording ink is mounted on a carriage, as is recited in independent Claims 36-38.

Accordingly, Nakahara et al. fails to disclose or suggest important features of the present invention recited in the independent claims.

Numata et al. relates to an ink jet recording apparatus that uses replaceable recording heads. A new cartridge suction recovery routine is described at col. 14 with respect to Fig. 15. When a new cartridge is mounted in the apparatus, normal discharge may not be possible due to an increased ink viscosity or an excessive number of bubbles in a liquid chamber. Thus, a specialized suction recovery routine is performed as compared to other recovery operations. In particular, the number of times of discharge conducted simultaneously with suction is greater in the described routine than in other recovery operations.

However, Numata et al. also does not disclose or suggest an ink jet recording apparatus to be shipped in which a recording head filled with transporting ink different from recording ink is mounted on the carriage or the step of shipping an ink jet recording apparatus from a manufacturing factory in a condition that the recording head filled with transporting ink different from the recording ink is mounted on the carriage, as is recited in the independent claims.

Thus, Numata et al. fails to remedy the deficiencies of Nakahara et al. noted above with respect to the independent claims.

Nishioka et al. was cited by the Examiner for teaching an ink cartridge detector for detecting whether or not an ink cartridge is installed in an ink jet printer and for issuing an “ink cartridge not installed” warning signal when appropriate. Harrington, III et al. was cited by the Examiner for teaching a process of installing a new printhead. However, these citations are not believed to remedy the deficiencies of the citations noted above with respect to the independent claims.

Thus, independent Claims 1, 12, 13 and 36-38 are patentable over the citations of record. Reconsideration and withdrawal of the § 103 rejections are respectfully requested.

For the foregoing reasons, Applicants respectfully submit that the present invention is patentably defined by independent Claims 1, 12, 13 and 36-38. Dependent Claims 2-11 and 14-35 are also allowable, in their own right, for defining features of the present invention in addition to those recited in their respective independent claims. Individual consideration of the dependent claims is requested.

Applicants submit that the present application is in condition for allowance. Favorable reconsideration, withdrawal of the objections and rejections set forth in the above-noted Office Action, and an early Notice of Allowance are requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mark A. Williams", written over a horizontal line.

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